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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,791	01/22/2002	Katsuya Tsunogai	JP920000423US1	4276

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EXAMINER

ALAM, UZMA

ART UNIT PAPER NUMBER

2157

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/053,791	Applicant(s) TSUNOGAI, KATSUYA	
	Examiner Uzma Alam	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 7-24 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/1/05, 12/5/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the election filed on October 18, 2005. Claims 1-26 are pending. Claims 1-6 and 25 are the elected and claims 7-24 and 26 are withdrawn from consideration. Claims 1-6 and 25 represent a connection accepting system.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al. US Patent No. 5,220,674. Morgan teaches a method for connecting to a server and fulfilling a request based on client priority (see abstract).

As per claim 1, Morgan teaches a connection accepting system, comprising:
client terminals connected to a network (column 6, lines 5-16); and
a first server for accepting connection requests from said client terminals through said network (column 6, lines 5-16; column 11, lines 15-22),
wherein said server includes a priority order setting unit which, upon receiving a first connection request from a first client terminal of said client terminals, sets a connection priority for said first client terminal and transmits data conveying said connection priority to said first client terminal; and a connection managing unit for allowing connection of said client terminals according to connection priority upon receiving a second connection request from a second client terminal of said client terminals after said first connection request (a service is fulfilled by an

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resource after a request from a client based on priority assigned to the client by the server;
column 16, lines 39-67; column 22, lines 4-30); and

said first client terminal displays connection priority information, based on said data conveying said connection priority (client is notified of priority by the server; column 6, lines 16-25).

As per claim 2, Morgan teaches a connection accepting system according to claim 1, further comprising a second server for executing a process according to requests from said client terminals,

wherein said first server accepts said first and second connection requests as connection requests for said second server and, when said connection managing unit allows connection of said first and second client terminals, connects said first and second client terminals with said second server (connecting the client to end resource in order of priority; column 6, lines 16-25)

As per claim 3, Morgan teaches a server for accepting connection requests from client terminals through a network, comprising: a connection-order setting unit which, upon receiving a first connection request from a first client terminal of said client terminals, sets an order of connection for said first client terminal (column 16, lines 39-67); and

a connection managing unit for allowing connection of said client terminals according to said order of connection, upon receiving a second connection request from a second client terminal of said client terminals after said first connection request (client is notified of priority by the server; column 22, lines 4-30).

As per claim 4, Morgan teaches the accepting server according to claim 3, wherein data of said order of connection set by said connection-order setting unit is transmitted to said first client terminal (client is notified of priority by the server; column 16, lines 39-67; column 22, lines 4-30); and

said first client terminal is caused to display connection-order information, based on said data (client is notified of priority by the server; column 6, lines 16-25)..

As per claim 5, Morgan teaches the accepting server according to claim 3, further comprising a connection-number monitoring unit for monitoring a number of connectable client terminals, wherein said connection managing unit allows connection of one of said client terminals which is highest in said order of connection, after acceptance of connection of a new client terminal has become possible, based on a number of connectable client terminals obtained by said connection-number monitoring unit (column 17, lines 35-56).

As per claim 6, Morgan teaches the accepting server according to claim 3, wherein a program for automatically executing said second connection request again is transmitted to said client terminal to which said order of connection has been set (column 16, lines 39-67).

As per claim 25, Morgan teaches a computer program which is executed by a computer which accepts requests for connection from a client terminal, comprising:

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a process for setting a connection priority to said client terminal when a connection request from said client terminal is accepted (column 6, lines 5-16; column 11, lines 15-22);

a process for granting a right of connection to said client terminal according to the connection priority (a service is fulfilled by an resource after a request from a client based on priority assigned to the client by the server; column 16, lines 39-67; column 22, lines 4-30); and

a process for confirming whether a right of connection has been granted to said client terminal when a connection request is made by said client terminal and allowing connection of said client terminal when grant of the right of connection is confirmed (a service is fulfilled by an resource after a request from a client based on priority assigned to the client by the server and client is notified of priority and status of connection by the server; column 16, lines 39-67; column 22, lines 4-30).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Yellepeddy et al. US Patent No. 6,288,790
3. Govett US Patent No. 5,761, 507
4. Taylor et al. US Patent No. 6,654, 830
5. Hadi Salim et al. US Patent No. 6,625,118


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam
Ua
12/20/05


ARIO ETIENNE
PATENT EXAMINER